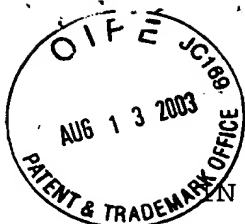


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3731

\$ ✓



293/002 Div. 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David S. Goldsteen et al.
Application No. : 09/955,244 Confirmation No. 1651
Filed : September 17, 2001
For : MEDICAL GRAFTING METHODS AND APPARATUS
Group Art Unit : 3731
Examiner : Michael H. Thaler

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1651
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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

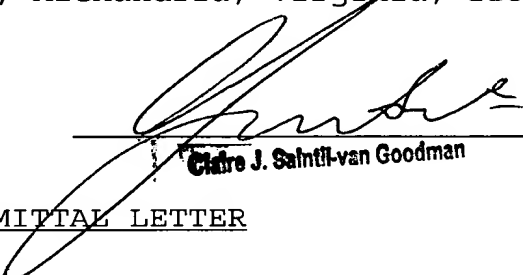
New York, New York
August 13, 2003

EXPRESS MAIL CERTIFICATION

Express Mail Label No.: EV132189359US

Date of Deposit: August 13, 2003

I hereby certify that the papers listed below are being deposited with the United Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.


Claire J. Saintil-van Goodman

TRANSMITTAL LETTER

Sir:

Transmitted herewith: [X] a Reply to Office action; and [X] a Petition under 37 C.F.R. § 1.136(a) for Extension of Time; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[] A fee for additional claims is required.

The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	* =	X \$ 18 =	\$
INDEPENDENT CLAIMS	-	** =	X \$ 84 =	\$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$280 =	\$

* If less than 20, insert 20. TOTAL \$

** If less than 3, insert 3.

[] A check in the amount of \$_____ in payment of the filing fee is transmitted herewith.

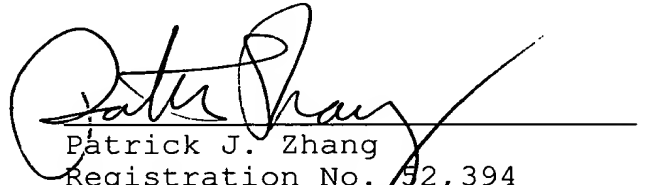
[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge \$_____ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

[X] The following extension is applicable to the Response filed herewith; [X] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$410.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [] \$930.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [] \$1,450.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$1,970.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

- [X] A check in the amount of [X] \$110.00; [] \$410.00; [] \$930.00; [] \$1,450.00; [] \$1,970.00 in payment of the extension fee is transmitted herewith.
- [X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- [] Please charge the [] \$110.00; [] \$410.00; [] \$930.00; [] \$1,450.00; [] \$1,970.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.



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Express Mail No.
EV132189359US

293/002 Div. 8-21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David S. Goldsteen et al.
Application No.: 09/955,244 Confirmation No.: 1651
Filed : September 17, 2001
For : MEDICAL GRAFTING METHODS AND APPARATUS
Group Art Unit : 3731
Examiner : Michael H. Thaler

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

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REPLY TO OFFICE ACTION

Applicants hereby reply to the Office Action mailed on June 17, 2003, which did not address the merits of the above-identified patent application, but required an election of species.

Claims 1-27 are pending in the above-identified patent application. The Examiner has determined that there are allegedly two patentably distinct species of the claimed invention described in the above-identified application, and has required applicants to select one species for prosecution.

The species identified by the Examiner are:

Species 1: FIGS. 1-4

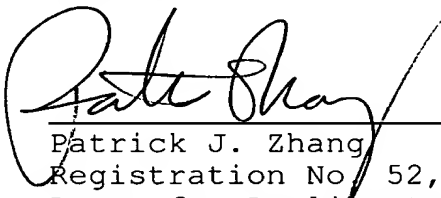
Species 2: FIGS. 5 and 7a-8a.

Applicants hereby elect to prosecute Species 2:
FIGS. 5 and 7a-8a, as required under 35 U.S.C. § 121. The
claims readable on the species elected above are claims 1
and 12-27.

Applicants understand that, pursuant to 37 C.F.R.
§ 1.141, if no generic claim is allowed, the application
will be restricted to the limits of the elected claims.
However, if a generic claim is allowed, the non-elected
species will rejoin this application. Applicants
acknowledge that the Examiner currently finds claim 1 to be
generic.

Applicants have elected for examination a single
claimed species of the claimed invention, as required by
the Examiner. An early and favorable action is
respectfully requested.

Respectfully submitted,



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